



DIVISION OF  
ENFORCEMENT

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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August 21, 2018

Honorable Denise Cote  
U.S. District Court for the  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1610  
New York, NY 10007

**Re: *SEC v. Alpine Securities Corporation, 1:17-CV-04179-DLC-RLE***

Dear Judge Cote:

Pursuant to the Court's Individual Practices 1.A, 1.E, and 3.J, Plaintiff United States Securities and Exchange Commission ("SEC") hereby requests a 14-day enlargement of time to file its reply in support of its motion for summary judgment [ECF No. 146] from August 31, 2018 to September 14, 2018.

The SEC requests this enlargement of time to allow it to adequately respond to Alpine's voluminous filings in opposition to the SEC's motion for summary judgment. Simultaneous with the filing of its opposition, Alpine requested permission, which the Court granted, to file a memorandum of law in opposition to the SEC's motion that spans 67 pages, nearly three times the length of the presumptive 25-page limit set forth in the Court's Individual Practice 1.B. [ECF Nos. 157, 159]. Alpine additionally submitted a 277 page response to the SEC's statement of material facts and additional material facts, as well as 587 exhibits. [ECF No. 154, at 70-87]. Taken together, the volume of Alpine's filings in opposition to the SEC's motion is much larger than the volume contemplated by the default rules. The length of the requested extension of time is proportional to the enlargement of pages granted for Alpine's opposition.<sup>1</sup>

The SEC counsel assigned to this case are and will be primarily engaged in preparing the SEC's reply to Alpine's opposition. However, given the length of Alpine's memorandum in opposition and commiserate multiplication of the arguments and citations to exhibits the SEC must analyze and potentially address in its reply brief, as well as the sheer volume of additional materials submitted by Alpine that must also be analyzed, the SEC requires additional time to

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<sup>1</sup> In addition, the SEC intends to seek an enlargement of the page limit for its reply in a separate request to the Court. The SEC is in the process of determining the amount of additional pages it will request.

prepare its reply. The requested additional time will not impact any other case management deadlines (currently there are none), nor will it prejudice Alpine or the Court.

This is the SEC's first request for an enlargement of time for its reply in support of its motion for summary judgment.<sup>2</sup> The SEC conferred with Alpine and Alpine opposes the SEC's request.

Sincerely,

/s/ Zachary T. Carlyle  
Zachary T. Carlyle (*pro hac vice*)  
Terry R. Miller (*pro hac vice*)

cc: Counsel of Record

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<sup>2</sup> The Court *sua sponte* extended the dates for filing of motions for summary judgment, oppositions to summary judgment, and replies in support of summary judgment when it granted the SEC's request for permission to serve a reply expert report and set a date for completion of expert discovery. [ECF No. 127].